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15992 U.S. PTO

PTO/SB/05 (06-03)

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	21558
First Inventor	Hoffmann, et al.
Title	NEW CRYSTALLINE...
Express Mail Label No.	EL912164160US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
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1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 41]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Sheets 3]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Reader Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The Incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 00151 OR ☐ Correspondence address below

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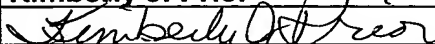
Name (Print/Type)

Kimberly J. Prior

Registration No. (Attorney/Agent)

41483

Signature



Date

1/27/2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Hoffmann-La Roche Inc.
340 Kingsland Street
Nutley, NJ 07110
Case Docket 21558
January 27, 2004

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the patent application of

Inventors: Torsten Hoffmann, Fabienne Hoffmann-Emery, Sonja Nick,
Urs Schwitter, Pius Waldmeier

For: **NEW CRYSTALLINE MODIFICATIONS OF 2-(3,5-BIS-TRIFLUOROMETHYL-PHENYL)-N-[6-(1,1-DIOXO-1λ⁶-THIOMORPHOLIN-4-YL)-4-(4-FLUORO-2-METHYL-PHENYL)-PYRIDIN-3-YL]-N-METHYL-ISOBUTYRAMIDE**

1. The fee has been calculated as shown below:

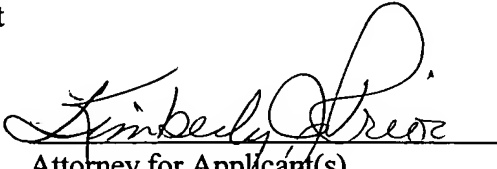
CLAIMS				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
TOTAL CLAIMS	30 - 20	10	x \$18	180.00
INDEP. CLAIMS	3- 3	0	x \$86	---
MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290	
BASIC FEE				\$770.00
TOTAL				<u>\$950.00</u>

Please charge Deposit Account No. 08-2525 in the amount noted above.

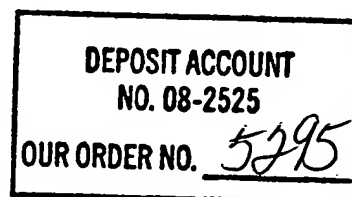
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Continue to address all communications to:

George W. Johnston
Hoffmann-La Roche Inc.
340 Kingsland Street
Nutley, NJ 07110


Attorney for Applicant(s)
Kimberly J. Prior
(Reg. No. 41483)

138426



Certification under 37 CFR 1.10

I hereby certify that this form and all documents cited on this form are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number:

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on January 27, 2004

Date


Signature

Marta Swaryczewsky

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Papers Submitted for Case Docket 21558: Patent Application Transmittal Form, Application Data Sheet, Fee Transmittal Form, Specification - 41 pgs., Declaration - 3 pgs., Drawings - 8 pgs. (Figures 1-8)